

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

at 11 o'clock and 55 min. PM 88  
SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

IN THE MATTER OF THE	)	Civil NO. CV05-00037 HG-BMK
COMPLAINT OF BLUE	)	[3 Consolidated Cases]
DOLPHIN CHARTERS, LTD.	)	
AND TERRY DONNELLY, AS	)	DECLARATION OF STEVEN M.
OWNERS OF THE VESSEL	)	McGUIRE
M/V BLUE DOLPHIN, O/N	)	
1082213, FOR	)	
EXONERATION FROM	)	
AND/OR LIMITATION OF	)	
LIABILITY	)	

) Civil NO. CV05-00037 HG-BMK  
) [3 Consolidated Cases]  
)  
) DECLARATION OF STEVEN M.  
) McGUIRE



DENNIS CLAYPOOL,	)	CIVIL NO.: CV 04 00570 HG-BMK
individually and as Guardian ad	)	
Litem for KRISTEN	)	
CLAYPOOL, a minor, SHERYL	)	
CLAYPOOL, SCOTT	)	
CLAYPOOL, AND KRISTEN	)	
CLAYPOOL,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
CAPTAIN ANDY'S SAILING,	)	
INC., BLUE DOLPHIN	)	
CHARTERS, LTD. And BLUE	)	
DOLPHIN DIVING, LTD.,	)	
	)	
Defendants.	)	
	)	

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**DECLARATION OF STEVEN M. MCGUIRE**

I, STEVEN M. MCGUIRE, declare as follows:

1. I am an attorney duly licensed to practice law before all the courts of the State of California and am admitted *pro hac vice* to practice in this court in the above-entitled action. I am an associate at Lesser & Associates, PLC, counsel of record for Matthew Isham, Individually and as Guardian ad litem for Hayden Isham, a minor and Roxanne Best Isham. I make this declaration based upon my own personal knowledge and if called upon to testify to the facts stated herein, I could and would competently do so.

2. Attached hereto as Exhibit "A" are true and correct copies of excerpts from the deposition of Matthew Isham taken on May 3, 2005.


3. Attached hereto as Exhibit "B" are true and correct copies of excerpts

from the deposition of Terry Donnelly taken on May 17, 2005.

4. Attached hereto as Exhibit "C" are true and correct copies of excerpts from the deposition of David Woolley taken on March 29, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 11, 2006

  
\_\_\_\_\_  
Steven M. McGuire, *Pro Hac Vice*

Z:\Isham\Pleadings\Blue Dolphin Charters - Limitation Liability Complaint\SM Declaration re Reply to Opposition re Isham's Partial MSJ set 012306.wpd